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DATE: *November 24, 2004*

TO: *Examiner Mark Graham*
Art Unit 3711

FROM: *William M. Hanlon, Jr.*

RE: *PAR-115-D*

FAX NO.: *703-872-9306*

PAGES TO FOLLOW: - 2 -

MESSAGE:

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NOV 24

Our Reference: PAR-115-D

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Allan McCarty
Serial Number: 10/616,820
Filing Date: July 10, 2003
Examiner/Art Group Unit: Mark Graham/3711
Title: BILLIARD CUE

CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

Transmitted with this document is a Response to Communication in the above-identified application.

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I hereby certify that this correspondence was transmitted, via Facsimile, to Examiner Mark Graham, Group Art Unit 3711 Fax Number: 703-872-9306 on November 24, 2004.



William M. Hanlon, Jr.
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Our Reference: PAR-115-D

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Allan McCarty
Serial Number:	10/616,820
Filing Date:	July 10, 2003
Examiner/Art Group Unit:	Mark Graham/3711
Title:	BILLIARD CUE

RESPONSE TO COMMUNICATION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In the Communication dated November 1, 2004 which set a shortened response period of one month until December 21, 2004, the Examiner states that the reply filed on August 2, 2004 is not fully responsive to the prior Office Action since the amendments to the claims were not in the form required by 37 CFR 1.121.

Applicant's attorney has carefully reviewed the second Supplemental Amendment which was filed by fax on August 2, 2004 and it is Applicant's attorneys position that claim 1 in the Supplemental Preliminary Amendment does indeed properly amend claim 1 in the Preliminary Amendment having a Certificate of Mailing date of July 30, 2004.

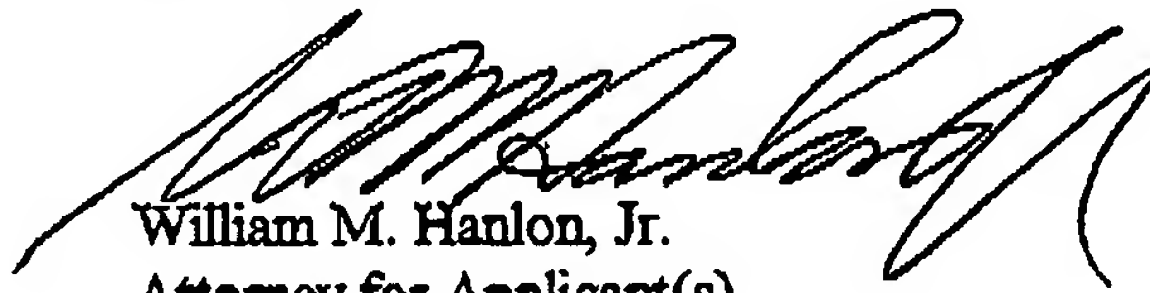
Thus, it is submitted that the Supplemental Preliminary Amendment is in the form required by 37 CFR 1.121.

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If the Examiner disagrees, the Examiner is invited to contact Applicant's attorney to discuss the specific language which now appears in claim 1 which was not copied identically from the previous amendment to claim 1.

Respectfully submitted,

YOUNG, BASILE, HANLON, MacFARLANE, WOOD
& HELMHOLDT, P.C.



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Dated: November 24, 2004
WMH/jao